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4 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
5 AT TACOMA

6 GARY CASTERLOW-BEY,

7 Plaintiff,

8 v.

9 J. KEISLER,

10 Defendants.

Case No. C17-5561-BHS-TLF

ORDER TO SHOW CAUSE OR
FILE WAIVERS OF SERVICE AND
ANSWER

11 This is a civil rights action brought pursuant to 42 U.S.C. § 1983. Plaintiff is proceeding
12 with this action *pro se* and *in forma pauperis*. On August 11, 2017, the Court issued an order
13 directing service of the complaint and associated documents in this matter by first class mail.
14 Dkt. 8. Pursuant to that Order, defendants had thirty (30) days in which to return the waivers of
15 service enclosed with the complaint and, in the event they did so, sixty (60) days from the date
16 designated on the notice of lawsuit to file and serve an answer to the complaint or a motion
17 permitted under Federal Rule of Civil Procedure 12. *Id.* The Order further provided that, in the
18 event defendants failed to timely return the signed waiver they would be “personally served with
19 a summons and complaint, and may be required to pay the full costs of such service, pursuant to
20 Rule 4(d)(2) of the Federal Rules of Civil Procedure.” *Id.* Counsel filed notices of appearance on
21 behalf of defendants in this action on August 22, 2017, and September 18, 2017. Dkt. 10; Dkt.
22 13. However, to date defendants have failed to either return the waivers of service or file an
23 answer or motion under Rule 12 and their time to do so has expired.

1 Accordingly, the Court hereby ORDERS defendants to show cause **on or before**
2 **February 7, 2018**, why personal service should not be ordered and defendants directed to pay
3 the costs of service. Defendants may also satisfy this Order by filing signed waivers of service on
4 or before February 7, 2018. In the event defendants file signed waivers of service, within **thirty**
5 **(30) days** thereafter defendants shall file and serve an answer or a motion directed to the
6 complaint, as permitted by Rule 12 of the Federal Rules of Civil Procedure.

7 The Clerk is directed to send copies of this order to all parties.

8 Dated this 23rd day of January, 2018.

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12 Theresa L. Fricke
13 United States Magistrate Judge
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